

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 02-30043-MAP
)
 (1) ALEKSEI SAFANOV,)
 (2) IVAN TELEGUZ,)
 (3) ROMAN ZHIRNOV,)
 (4) ANDREY BUYNOVSKIY,)
 (5) MICHAEL QUICKEL,)
 Defendants.)

Government's Motion for Order of Excludable Delay

(Assented To by Four Counsel)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, moves for an order of excludable delay under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) & 3161(h)(8)(B)(ii) & (iv), from May 17, 2005, to June 6, 2005.

On May 17, 2005, the Court held an evidentiary hearing related to suppression motions filed by defendants Safanov, Zhirnov and Buynovskiy. The Court denied Safanov's and Zhirnov's motions. Buynovskiy's motion was taken under advisement. At the May 17, 2005, hearing the Court scheduled a status conference for June 6, 2005, at which time the defendants will report to the Court as to whether a trial will be necessary.

This is a complex case involving five defendants, over twenty firearms and events in at least three states. Numerous consensual recordings were made. One of the defendants, Ivan Teleguz, is incarcerated in Virginia on unrelated charges. In addition to these facts, the state of the law regarding federal

sentencing has changed in recent months and the federal sentencing guidelines are now advisory.

As a result, it is appropriate that the defendants have until June 6, 2005, to consider these facts and determine whether to enter pleas of guilty or to seek a trial. The ends of justice served by excluding this time from the Speedy Trial Act outweigh the best interest of the public and defendants in a speedy trial.

Counsel for defendants, Safanov, Teleguz, Zhirnov and Buynovskiyy were in court on May 17th and assented to this request.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

by: /s/ Kevin O'Regan
Kevin O'Regan
Assistant U.S. Attorney

Date: May 20, 2005

CERTIFICATE OF SERVICE

May 20, 2005

I certify that I have caused to be served a copy of the foregoing document electronically on Alan Black, Esq., counsel for Aleksei Safanov, David Wenc, Esq., counsel for Ivan Teleguz, Charles J. Sciafani, Jr., Esq., counsel for Roman Zhirnov, and Joseph D. Bernard, Esq., counsel for Andrey Buynovskiyy, and by mail on Richard J. Maggi, Esq., counsel for Michael Quickel.

/s/ Kevin O'Regan
Kevin O'Regan
Assistant U.S. Attorney